

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

C.D.D.S.,

Plaintiff,

v.

CITY OF SAN PABLO,

Defendant.

Case No. 17-cv-00414-JSW

**ORDER IMPOSING SANCTIONS AND
FURTHER ORDER TO SHOW CAUSE**

On July 31, 2017, the Court issued an order to show cause why counsel for Plaintiff, Lateef H. Gray, Esq., and counsel for Defendant, Claudia Leed, Esq., should not each be sanctioned \$250.00 for failing to comply with the Court's orders. (Dkt. No. 22.) Specifically, the Court noted that counsel had failed to file a timely joint case management statement and had filed an untimely request to continue the case management conference. Counsels' responses were due by Friday, August 11, 2017.

A. *The Order to Show Cause Is Discharged as to Ms. Leed.*

The Court has reviewed Ms. Leed's response. By way of explanation, but not excuse, Ms. Leed indicates that on Friday, July 28, 2017, while she was on vacation, Mr. Gray contacted her requesting that she stipulate to continuing the case management conference. (Dkt. No. 23, at 2.) Ms. Leed agreed and revised the proposed stipulation and returned it to Mr. Gray. (*Id.*) Mr. Gray did not file the stipulation until the following Monday, July 31, 2017, after being contacted by the Court regarding the missing joint case management statement. (*Id.*)

The Court notes that even had the stipulation been filed on Friday, July 28, 2017, it still would have been untimely. This Court's May 19, 2017 order setting the case management conference provides that any request to reschedule the conference must be made at least ten

1 calendar days before the conference date. (Dkt. No. 20, at 2.)

2 Nonetheless, in light of the circumstances described in Ms. Leed's response, and given Ms.
3 Leed's apology and recognition of the importance of complying with the Court's orders, the Court
4 HEREBY DISCHARGES the order to show cause as to Ms. Leed. Ms. Leed is admonished that
5 going forward, her obligations to comply with Court orders may not be delegated to another
6 attorney.

7 *B. Mr. Gray Is Sanctioned \$250.00.*

8 By contrast, the Court has not reviewed Mr. Gray's response for the simple reason that Mr.
9 Gray has not filed one. Accordingly, the Court HEREBY IMPOSES sanctions in the amount of
10 \$250.00 on Mr. Lateef H. Gray, Esq., for his failure to comply with this Court's May 19, 2017
11 order setting the case management conference in this action. Mr. Gray shall pay that amount to
12 the Clerk of the Court by no later than Wednesday, August 23, 2017, and he shall not pass the
13 amount of the sanctions on to his client.

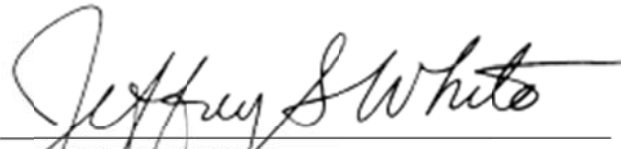
14 *C. Mr. Gray Is Further Ordered to Show Cause Why Further Sanctions Should Not Issue.*

15 The Court's prior order to show cause concluded by stating: "Counsel are further
16 admonished that any future non-compliance with the Court's orders (including the Court's
17 standing orders) will be met with appropriate sanctions." (Dkt. No. 22, at 2.) As just detailed, Mr.
18 Gray has failed to comply with the Court's order to show cause. Accordingly, Mr. Lateef H.
19 Gray, Esq. is ORDERED TO SHOW CAUSE why the Court should not impose monetary
20 sanctions in the amount of \$500.00 for failure to comply with Court orders. Mr. Gray's response
21 is due by Wednesday, August 23, 2017.

22 Failure of Mr. Gray to respond to this order shall be met with additional sanctions.

23 **IT IS SO ORDERED.**

24 Dated: August 16, 2017

25 
26 JEFFREY S. WHITE
27 United States District Judge
28